

REMARKS

This is a full and timely response to the Office Action of March 4, 2008. By the present Amendment, claims 1, 10, 11, 22, 23 and 27 have been amended to more particularly and distinctly point out the novelty and non-obviousness of the present invention. It is requested that claims 4 and 14 be cancelled without prejudice. Reconsideration and allowance of the application and all presently pending claims are respectfully requested.

Response to 35 USC 103 rejections

In the Office Action dated March 4, 2008, the Examiner has rejected all pending claims under 35 USC 103(a) based on the previously cited Sadhwani and Chong references, in further view of U.S. Patent No. 5,917,944 to Wakisaki et al. (hereafter "Wakisaki"). Based on the above amendments and the present remarks, Applicant submits that these rejections have been traversed and that the present claims are allowable over all prior art of record, considered singly or in combination.

As noted in the above amendments, claim 1 has been amended to incorporate recitations of former claim 4, and claim 11 has been amended to incorporate recitations of former claim 14. Claims 10, 22, 23 and 27 have been amended similarly to claims 1 and 11. As amended, the claims provide language indicating more clearly the interactive communications and "on the fly" dictionary swapping aspects of the present invention, incorporating *first topic detection and topic change detection to a second detected topic* based on received communications. This capability allows the present invention to fluidly perform accurate and fast translations for communications

that can change topic rapidly, as ordinary voice communications, e-mails, SMS messages and/or text messages are known to do. No new matter has been added. Support for these amendments can be found, for example, in previous claims 4 and 14, paragraphs 0055-0065 and 0119 of present application publication number 2004/0102957.

The Sadhwani and Chong references have been distinguished in prior responses and clearly lack in teaching context or topic recognition. The Wakisaki reference pertains in a first aspect to a character recognizing and translating machine, and in a second aspect to a voice recognizing and translating machine (see Summary of the Invention, cols. 3-6). Wakisaki is dedicated to assisting travelers and others who may have difficulty hearing and/or interpreting one-way messages from such places as a train station, airport lobby, sightseeing location, etc., as noted in col. 5, lines 60-67. Wakisaki discloses using different dictionaries such as a dictionary 112 and a grammar dictionary 113 that operate based on keywords (see col. 8, lines 1-4 and 52-58). There is no topic detection or topic *change* detection in Wakisaki. Instead, there is a keyword analysis unit that judges whether a word or sentence *is an effective keyword for translation* (see col. 8, lines 54-58).

On pages 3-4 of the Office Action, the Examiner has cited Wakisaki for the proposition of translating sentences based on identified keywords. However, this is not what Applicant has claimed. Claim 1 provides for *detecting a first topic* based on the voice input signal by *matching words in the voice input signal to nodes in an ontological database*, and associating at least a first one of the translation dictionaries with the input signal *based on the detected first topic*.

Claim 1 as amended further provides for *detecting a topic change* indicating a second topic associated with a second voice input signal that is different from the first topic and associating at least a second one of the translation dictionaries with the second input signal *based on the detected second topic*.

Applicant submits that the rejection of at least claims 1, 4, 11 and 14 is deficient in many areas in that all the Examiner has done is repeat verbatim the claimed elements/steps and refer to sections of the Sadhwani, Chong and/or Wakisaki references without providing a clear explanation of how each reads on the claims. There has been little attempt on the Examiner's part to equate or particularly point out specific language in the prior art and apply it to the claimed elements/steps. Specifically with regard to claims 4 and 14, the Examiner has combined rejections of these claims with claims 1 and 11, respectively, but has not set out *any* elements of claims 4 or 14, nor referenced *any* portion of the prior art as applicable to the claim language of claims 4 and 14 (see Office Action pages 3-4 and 8-10). Thus, the previous rejection of claims 4 and 14 is deficient on its face. With regard to claim 19, the examiner's citation on page 11 of the Office Action to col. 6, lines 1-4 of Wakisaki is entirely irrelevant. Using a keyword with a dictionary or grammar dictionary has nothing to do with topic detection or topic change detection as claimed in the present application. Further, Wakisaki is concerned with one-way communications generally related to travel situations, so there would be no need for topic detection or much less, topic *change* detection in two-way communications.

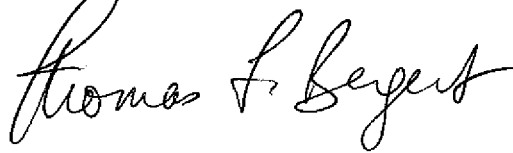
For the above reasons, Applicant submits that none of the Sadhwani, Chong or Wakisaki references, either singly or in combination, discloses, teaches or suggests the invention as presently claimed by this Amendment. The prior art must teach or suggest *all* claim elements in order to find anticipation or obviousness, and *all* words in a claim must be considered in judging the patentability of that claim against the prior art (see MPEP §§ 706.02(j) and 2143.03). Claims 10, 22, 23 and 27 have been amended similarly to claims 1 and 11, and it is Applicant's position that these claims are similarly not anticipated or obviated by any of the references of record. Applicant thus submits that all of these claims are allowable, and that the remaining dependent claims are also allowable based upon being dependent from an allowable independent claim.

## **CONCLUSION**

Based on the foregoing, Applicant submits that the present application is in position for prompt adjudication and allowance. Applicant believes that all of the claims currently pending in the present application are now in condition for allowance, and an early notice to that effect is earnestly solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the present application, the Examiner is invited to contact Applicant's undersigned representative at the address and phone number provided below. A three-month extension of time is being filed simultaneously with this Amendment, along with a Request for Continued Examination.

The Commissioner is hereby authorized to charge Deposit Account No. 50-0766 in payment of the required fees.

Respectfully submitted,  
WILLIAMS MULLEN, PC

A handwritten signature in black ink, reading "Thomas F. Bergert". The signature is fluid and cursive, with the first name "Thomas" being more prominent than the last name "Bergert".

Thomas F. Bergert  
Counsel for Applicant  
Reg. No. 38,076

Filed: September 4, 2008  
Attached: Petition for 3-month extension of time  
Request for Continued Examination

Thomas F. Bergert, Esq.  
Williams Mullen, PC  
8270 Greensboro Drive, Suite 700  
McLean, Virginia 22102  
(703) 760-5200

1653099